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10 Attorneys for Defendant
11 SYLVIA SIMONSEN

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14 IN THE UNITED STATES DISTRICT COURT
15 FOR THE EASTERN DISTRICT OF CALIFORNIA

16
17 UNITED STATES OF AMERICA,) Case No. 3:19-mj-007 DMC
18 Plaintiff,)
19 v.) **STIPULATION AND [PROPOSED] ORDER**
20) **TO CONTINUE PRELIMINARY HEARING**
21) **AND EXCLUSION OF TIME**
22 SYLVIA SIMONSEN,) Date: June 7, 2019
23 Defendant.) Time: 2:00 p.m.
24) Judge: Hon. Edmund F. Brennan
25)
26)
27)
28)

19 Plaintiff, United States of America, by and through Assistant United States Attorney
20 James Conolly and Defendant Sylvia Simonsen, through her attorney Noa E. Oren, Assistant
21 Federal Defender, hereby stipulate to continue the Preliminary Hearing set for June 7, 2019 to
22 July 19, 2019, at 2:00 p.m.

23 The parties agree that the time beginning June 7, 2019 extending through July 19, 2019,
24 should be excluded from the calculation of time under the Speedy Trial Act. Further, the
25 Defendant consents to an extension of the time for a Preliminary Hearing until July 19, 2019.
26 Fed.R.Crim.P. 5.1(d). The parties submit that the ends of justice are served by the Court
27 excluding such time, so that they may have reasonable time necessary for effective preparation,
28 taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). In particular,

1 the time is required so that the parties can conduct investigation and review discovery. Ms.
2 Simonsen consents to this continuance.

3 The parties stipulate that the interests of justice outweigh the interest of the public and the
4 defendant in a speedy trial, 18 U.S.C. § 3161(b) and (h)(7)(A), and further that this good cause
5 outweighs the public's interest in the prompt disposition of criminal cases. Fed.R.Crim.P. 5.1(d).

6 IT IS SO STIPULATED.

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8 Dated: June 3, 2019

HEATHER E. WILLIAMS
Federal Defender

10 /s/ Noa E. Oren
11 NOA E. OREN
12 Assistant Federal Defender
Attorney for SYLVIA SIMONSEN

13 Dated: June 3, 2019

14 MCGREGOR W. SCOTT
15 United States Attorney

16 /s/ James Conolly
17 JAMES CONOLLY
18 Assistant United States Attorney
19 Attorney for Plaintiff

ORDER

The Court has read and considered the Stipulation to Continue the Preliminary Hearing Pursuant to Rule 5.1(d) and Exclusion of Time. The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates good cause for an extension of time for the preliminary hearing date pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure.

Furthermore, for the reasons set forth in the parties' stipulation, the Court finds that the interests of justice served by granting this continuance outweigh the interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T4. The Court further finds that the extension of time would not adversely affect the public interest in the prompt disposition of criminal cases.

THEREFORE, FOR GOOD CAUSE SHOWN:

1. The preliminary hearing is continued to July 19, 2019, at 2:00 p.m.
2. The time between June 7, 2019, and July 19, 2019, shall be excluded from calculation pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T4.
3. Defendant shall appear at that date and time before the Magistrate Judge on duty.

IT IS SO ORDERED.

Dated: June 4, 2019

HON. EDMUND F. BRENNAN
United States Magistrate Judge